


**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
STATESBORO DIVISION**

 FILED  
John E. Triplett, Acting Clerk  
United States District Court  
By CAsbell at 9:26 am, Sep 28, 2020

TIMOTHY PRIEST WALKER,

Plaintiff,

v.

MARTY ALLEN; WARDEN PINERO; and  
NAOMI DANIELS,

Defendants.

CIVIL ACTION NO.: 6:18-cv-45

**ORDER**

This matter is before the Court on the United States Marshals Service's Unexecuted Return as to Defendant Daniels. Doc. 19. On November 26, 2019, this Court ordered service of Plaintiff's Complaint upon Defendant Daniels and advised Defendant of her duty to avoid unnecessary costs when service is executed. Doc. 9. The Court noted a defendant "who fails to comply with the request for waiver must bear the costs of personal service unless good cause can be shown for the failure to return the waiver." *Id.* at 12 (citing Fed. R. Civ. P. 4(d)(2)). The United States Marshals Service sent the service waiver to Defendant Daniels on December 3, 2019, dkt. entry dated Dec. 9, 2019, and that same waiver was returned as unexecuted on August 6, 2020. Doc. 19.

The Court **ORDERS** the United States Marshals Service to personally serve Defendant Daniels with a copy of the Court's November 26, 2019 Order and this Order within 30 days, if practicable, and to exercise due caution in attempting to effectuate service on Defendant Daniels. The Court imposes the costs of personal service on Defendant Daniels. Fed. R. Civ. P.

4(d)(2)(A). The Court **ORDERS** Defendant Daniels to file her Answer to Plaintiff's Complaint as quickly as possible, but, in no event later than 30 days after the United States Marshals Service personally serves her with process. The Court advises Defendant Daniels that her failure to abide by these directives will result in the imposition of sanctions against her beyond the costs of personal service. In addition, if Plaintiff has any information regarding Defendant Daniels' whereabouts, he should provide that to the United States Marshals Service.

**SO ORDERED**, this 28th day of September, 2020.

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', is written over a horizontal line.

BENJAMIN W. CHEESBRO  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA